

Briefing for NACCOM members: Support for people at risk of street homelessness who have either been granted or refused asylum during the Covid-19 pandemic

This briefing was published on the 11.12.20. We will endeavor to update as the situation develops. Blue boxes include case studies of work across the network & requests for members to help us with evidence gathering. For the latest summary of the #StopAsylumEvictions campaign, see [our joint policy briefing with Asylum Matters](#).

Background and context

- Evictions from asylum accommodation were paused from the [end of March](#) so people who had been refused asylum as well as those granted refugee status were able to remain on asylum support and in accommodation. The Immigration Minister, Chris Philp, said the decision was a *'temporary measure which would be brought to an end as soon as it was safe to do so.'* During this time, people who were destitute and had previously been refused asylum could apply [for Section 4 support, for instance on the grounds of being unable to leave the UK](#). The number of people on Section 4 support is detailed in the latest quarterly [Immigration statistics](#).
- The Home Affairs Select Committee [report into Home Office preparedness for COVID-19 institutional accommodation](#), published in June, recommended that *'Before taking any final decision to remove temporary support for asylum seekers, the Home Office and its accommodation providers must engage and consult closely with Public Health England, devolved governments, Strategic Migration Partnerships, asylum dispersal councils and local public health units to ensure that any changes do not place individuals at any risk or overwhelm other statutory support services.'*
- In July, the Immigration Minister [Chris Philp stated that](#) *'A comprehensive cessation plan... is being worked through with discussions with Local Authorities, Other Government Departments and Stakeholders, which included members of the voluntary and community sector. We remain committed to working closely with the accommodation providers and communicating with local authorities to relieve pressure and capacity as much as possible and ensure that health guidance is being followed'*. At an [adjournment debate](#) later that month, he pledged to *'take public health advice seriously.'*

The restarting of evictions for people with refugee status

- The Home Office restarted cessations [from the 11th August 2020 for people with a positive asylum decision](#), with plans to resume in Scotland, Wales and Northern Ireland at a later unspecified date. For people with a positive asylum decision, there has been anecdotal evidence of stronger pathways between Local Authorities (LAs) and Home Office accommodation providers since August but it remains too early to tell how effective these have been at preventing homelessness. **NACCOM is calling for an extension to the move on period for people newly granted refugee status to at least 56 days so that people have the time they need to find suitable accommodation after leaving asylum support. No one should be evicted into homelessness.**

Members- are you supporting people who have got refugee status? Are you aware of what support is currently available via Local Authorities for newly recognised refugees and if this has changed at all? We are keen to hear about good practice as well as emerging gaps. Email lucy@naccom.org.uk with any details you can share.

Examples of support pathways for people who have got refugee status

Brushstrokes in the West Midlands works with Sandwell Council to support people who receive a positive decision on their asylum case. Their casework team works alongside Local Asylum Support Liaison Officers (LAASLOs) to follow up with people not already known to the service. People are assisted to find housing, through good links with supported housing services and landlords, and access Universal Credit and/or employment.

The Boaz Trust in Manchester accommodates people with refugee status across their stock of managed or owned properties, in partnership with Arawak Housing. Alongside accommodation, tenants are offered holistic support around understanding accommodation options, setting up and managing bills or support with benefits. Since 2019 Boaz has partnered with Crisis to run a ['Renting Ready'](#) training programme to offer further tenancy support.

The restarting of evictions for people who have been refused asylum

Members- Are you supporting people who have a negative asylum decision and have faced eviction from asylum accommodation in recent months? Are you supporting people who have refused Section 4 support recently? We want to hear about people's experiences and concerns. Please email lucy@naccom.org.uk with further details.

- The Home Office restarted cessations on [the 15th September 2020 for people with a negative asylum decision](#), with plans to resume in Scotland, Wales and Northern Ireland at a later date. This decision caused [untold stress and fear amongst those facing street homelessness](#) and led **many councils, charities and parliamentarians to call on the Home Office to reverse the decision and maintain the pause on evictions**. Initially however, evictions did resume, including in areas under local restrictions such as [Liverpool](#) and [Greater Manchester](#). In October, [a judgement was issued](#) that evictions in Tier 3 areas were 'unreasonable' and should not proceed.
- In November, [an interim High Court order prohibited](#) the Home Office from evicting people who are accommodated under Section 4 support. **As a result, evictions are currently paused in England (and have not started in Wales, Scotland and Northern Ireland) but it is not clear how long this will last**. In a Home Affairs Select Committee (HASC) enquiry session in December, [Chris Philp stated](#) '*Negative cases were resumed for a relatively brief time ... but have now been paused... We will keep that under very careful review and develop a plan to safely, and in a careful way, come out of that in due course, but no decision has yet been made on that.*'
- The Home Office [has not shared the public health information](#) that it relied on to support its decision to restart evictions, although a series of Freedom of Information requests showed that the Home Office [failed to consult](#) Local Authorities and Public Health directors on the decision in at least 26 areas. Regarding Public Health consultation, [Chris Philp stated](#) in the December HASC session that; '*We will certainly be consulting closely with relevant public health officials in all parts of the country*' although he also said '*Local authority public health directors may have divergent views. The decision is one that ultimately the Home Office will take.*'
- The lack of community or voluntary sector accommodation options is of paramount concern for anyone facing eviction into destitution from asylum accommodation, as those who have a negative decision will have No Recourse to Public Funds. In 2019-20, [approx. 1,849 people had to be turned away from NACCOM member services](#) due to a lack of provision, with accommodation providers in the network now reporting even greater gaps in capacity due to the pandemic. Meanwhile, published [guidance on night shelter provision in England](#) confirms that communal shelters remain unsafe. Under the new tiered system in England, government advice restricts [indoor gatherings and travel, including overnight stays, in many areas](#), which has a direct impact on people who might otherwise be forced to use [night buses or sofa surf](#) to stay off the streets.
- The Home Office has not responded to the concerns raised about the implications for people who become homeless and are appeal rights exhausted, with Chris Philp preferring to focus on the [expectation that people will leave the UK voluntarily](#). [At the HASC session in December](#) he stated; '*People who have had a negative asylum decision will only be served noticed where there is obviously a route home for them and where they would not be at risk of destitution.*' Yet it is well known that [voluntary return must be a choice](#) that someone makes when they have all the information and, crucially, feel safe and supported to make the decision that is right for them; Indeed, [policies compelling people to return](#) have been proven to be ineffective and costly.
- Furthermore, with support and advice, many people who have been refused asylum are eventually granted Leave to Remain. Recent Home Office statistics show that [44% of asylum appeals were allowed](#) and figures from NACCOM's 2019-20 [survey showed that of the 427 people who were appeal rights exhausted and moved on from member services last year, 53% secured refugee protection or government support](#). Crucial to this process is immigration advice, [which was already hugely](#) oversubscribed pre-Covid and has now become increasingly inaccessible. **People need access to good quality legal advice to explore their options after a refusal on their asylum decision as without this they cannot be expected to make a decision on their next steps**. For up-to-date factsheets on appeal processes [see ASAP's website](#).